

Article - Health - General

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§15-302.

(a) (1) The Department shall monitor applications to determine whether employers and employees have voluntarily terminated coverage under an employer sponsored health benefit plan that included dependent coverage in order to participate in the Maryland Children's Health Program established under §§ 15-301 and 15-301.1 of this subtitle.

(2) The Department, in particular, shall review applications of individuals who qualified for Program benefits under the Maryland Children's Health Program established under §§ 15-301 and 15-301.1 of this subtitle.

(b) (1) An application may be disapproved if it is determined that an individual under the age of 19 years to be covered under the Maryland Children's Health Program, for whom the application was submitted, was covered by an employer sponsored health benefit plan with dependent coverage which was voluntarily terminated within 6 months preceding the date of the application.

(2) In determining whether an applicant has voluntarily terminated coverage under an employer sponsored health benefit plan for purposes of paragraph (1) of this subsection, a voluntary termination may not be construed to include:

(i) Loss of employment due to factors other than voluntary termination;

(ii) Change to a new employer that does not provide an option for dependent coverage;

(iii) Change of address so that no employer sponsored health benefit plan is available;

(iv) Discontinuation of health benefits to all dependents of employees of the applicant's employer; or

(v) Expiration of the applicant's continuation of coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

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